

CRM-M-52206-2021

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-52206-2021

Date of decision: 08.07.2022

Shri Kishan @ Shri Krishan

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Dinesh Jangra, Advocate,
for the petitioner.

Mr. Surender Singh, AAG, Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks regular bail in case FIR No.29 dated 27.01.2019, registered at Police Station Jhajjar, District Jhajjar, under Section 302 IPC.

Learned counsel for the petitioner contends that the petitioner has falsely been involved in the present case; that no weapon had been used while committing the alleged offence; that there was no pre-meditation on the part of the petitioner to commit the murder of Lal Singh; that the alleged occurrence was a result of grave and sudden provocation, covered under Section 304 IPC; that in an FIR got registered by the petitioner, Lal Singh (since deceased) was convicted and released on probation, and that it was in the revision petition, a compromise had been effected between the petitioner and the accused therein, and that the petitioner had no intention to cause injury to the deceased. On this premise, the learned counsel prays for the grant of bail to the petitioner.

On the other hand, learned State counsel, while opposing the

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grant of bail to the petitioner, draws the attention of this Court towards injury No.3 on the person of the deceased, which would read as under:

“3. On dissection of abdominal cavity, an extensive blood clot is found in the lesser sac and across the upper abdomen and contains about 2500 ml. of liquid blood and clotted blood, left side of the peritoneum and diaphragm are contused, on further exploration, underlying spleen is found ruptured.

Learned State counsel further submits that the petitioner has been named in the FIR and specific role has been attributed to him. Out of 20 prosecution witnesses, 12 witnesses have been examined.

I have heard the learned counsel for the parties.

There are serious allegations against the petitioner that he being the sole accused, had given injury on the abdomen of the deceased, causing extensive blood clot in the lesser sac and across the upper abdomen and it contained about 2500 ml. of liquid blood and clotted blood.

Keeping in view the nature and gravity of the offence, but without going into the merits of the case, this Court finds that the petitioner is not entitled to the benefit of regular bail.

Therefore, finding no merit in the present petition, the same is dismissed.

However keeping in view the fact that the petitioner has been in custody since 30.01.2019, trial Court is directed to make an endeavour to conclude the trial at the earliest, preferably within eight months.

08.07.2022

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No